

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SUN LIFE ASSURANCE COMPANY OF ) CASE NO. 8:08-CV-290  
CANADA, )  
 )

Plaintiff, )  
 )

v. )  
 )

JANICE KUMM and DEANN KUMM, )  
as co-personal representatives of the )  
ESTATE OF GAYLORD KUMM; DEANN )  
KUMM, individually; ESTATE OF )  
GAYLORD KUMM; BEN KUMM, )  
individually; GLEN R. KUMM, )  
individually; and STARR KUMM n/k/a )  
Starr Wallace, individually, )  
 )

Defendants/Third-Party Plaintiffs, )  
 )

v. )  
 )

GERALD BRYCE, JAMES GRENDELL, )  
BRYAN REIL, and PARADIGM )  
FINANCIAL SERVICES, LLC, )  
 )

Third-Party Defendants. )

**AMENDMENT TO STIPULATED  
PROTECTIVE ORDER**

Plaintiff, Sun Life Assurance Company of Canada (“Plaintiff”), Defendants, Janice Kumm, DeAnn Kumm, Ben Kumm, Glen R. Kumm, and Starr Kumm (collectively “Defendants”), and Third-Party Defendants, Paradigm Financial Services, LLC, Gerald Bryce, James Grendell, and Bryan Reil (collectively, “Third-Party Defendants”), by and through their respective counsel, hereby stipulate and agree to the following amendment of the Court’s March 9, 2009 Stipulated Protective Order:

Paragraph 1 shall now read as follows:

“1. Plaintiff, Defendants, and Third-Party Defendants stipulate and agree that they have an obligation to ensure the confidentiality of documents filed as Restricted Documents under the E-Government Act, all underwriting materials and agreements with non-parties whether or not related to the present matter which may be produced in this case in response to any party’s discovery requests or to testifying or non-testifying experts. In addition, Plaintiff, Defendants, and Third-Party Defendants stipulate and agree that, in the case of any documents produced pursuant to a subpoena, the third-party providing the documents or any party to this case has the right to designate documents as confidential if they contain confidential customer records, client information, business records, underwriting materials, and agreements with non-parties, whether or not related to the present case. Accordingly, the parties show the Court that good cause exists for the entry of a protective order.”

This amendment to the Court’s March 9, 2009 Stipulated Protective Order only modifies, and in no way displaces, the Court’s March 9, 2009 Order. This amendment shall be binding upon the parties, their attorneys, agents, employees, representatives, successors, and assigns from this date forward for documents first produced or disclosed from such date.

Dated this 31<sup>st</sup> day of March, 2009.

GERALD BRYCE, Third-Party Defendant,

s/ Albert M. Engles

Albert M. Engles, #11194

Chad G. Marzen, #24046

ENGLES, KETCHAM, OLSON & KEITH, P.C.

1350 Woodmen Tower

Omaha, Nebraska 68102

Phone: (402) 348-0900

Fax: (402) 348-0904

e-mail: [bengles@ekoklaw.com](mailto:bengles@ekoklaw.com)

e-mail: [cmarzen@ekoklaw.com](mailto:cmarzen@ekoklaw.com)

SUN LIFE ASSURANCE COMPANY OF CANADA, Plaintiff,

s/ Matthew Enenbach

Tory M. Bishop  
Marcia A. Washkuhn  
Matthew M. Enenbach  
Kutak Rock, LLP  
1650 Farnam St.  
Omaha, NE 68102-2186  
Phone: (402) 346-6000  
Fax : (402) 346-1148  
e-mail: Tory.bishop@kutakrock.com  
e-mail: Marcia.washkuhn@kutakrock.com  
e-mail: Matthew.enenbach@kutakrock.com

JANICE KUMM AND DEANN KUMM, as co-personal  
representatives of the ESTATE OF GAYLOR KUMM,  
DEANN KUMM, BEN KUMM, GLEN R. KUMM,  
and STARR KUMM, Defendants/Third-Party Plaintiffs,

s/ Kenneth Hartman

William G. Dittrick  
Kenneth W. Hartman  
Baird Holm, LLP  
1500 Woodmen Tower  
Omaha, NE 68102-2068  
Phone: (402) 344-0500  
Fax: (402) 344-0588  
e-mail: wdittrick@bairdholm.com  
e-mail: khartman@bairdholm.com

BRYAN REIL, Third-Party Defendant,

s/ David A. Blagg

John R. Douglas  
David A. Blagg  
Cassem, Tierney, Adams, Gotch, & Douglas  
8805 Indian Hills Dr., #300  
Omaha, NE 68114  
Phone: (402) 390-0300  
Fax: (402) 390-9676  
e-mail: jdouglas@ctagd.com  
e-mail: dblagg@ctagd.com

JAMES GRENDELL and PARADIGM FINANCIAL  
SERVICES, LLC, Third-Party Defendants,

s/ Mark J. Daly

Mark J. Daly  
Scott E. Daniel  
MaryBeth Frankman  
Brashear, LLP  
711 N. 108 Court  
Omaha, NE 68154-1714  
Phone: (402) 348-1000  
Fax: (402) 348-1111  
e-mail: mjd@brashearlaw.com  
e-mail: sed@brashearlaw.com  
e-mail: mbf@brashearlaw.com

and

Andre R. Barry  
Stanton N. Beeder  
Cline, Williams, Wright, Johnson & Oldfather, LLP  
1900 U.S. Bank Bldg.  
233 S. 13 St.  
Lincoln, NE 68508-2095  
Phone: (402) 474-6900  
Fax: (402) 474-5393  
e-mail: abarry@clinewilliams.com  
e-mail: sbeeder@clinewilliams.com

**IT IS SO ORDERED.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009

By the Court:

---

United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on March 31, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Tory M. Bishop  
Marcia A. Washkuhn  
Matthew M. Enenbach  
Kutak Rock, LLP  
1650 Farnam St.  
Omaha, NE 68102-2186  
Phone: (402) 346-6000  
Fax : (402) 346-1148  
e-mail: Tory.bishop@kutakrock.com  
e-mail: Marcia.washkuhn@kutakrock.com  
e-mail: Matthew.enenbach@kutakrock.com

**Attorneys for Plaintiff**

William G. Dittrick  
Kenneth W. Hartman  
Baird Holm, LLP  
1500 Woodmen Tower  
Omaha, NE 68102-2068  
Phone: (402) 344-0500  
Fax: (402) 344-0588  
e-mail: wdittrick@bairdholm.com  
e-mail: khartman@bairdholm.com

**Attorneys for Defendants/Third-Party Plaintiffs**

John R. Douglas  
David A. Blagg  
Cassem, Tierney, Adams, Gotch, & Douglas  
8805 Indian Hills Dr., #300  
Omaha, NE 68114  
Phone: (402) 390-0300  
Fax: (402) 390-9676  
e-mail: jdouglas@ctagd.com  
e-mail: dblagg@ctagd.com  
**Attorneys for Bryan Reil**

Andre R. Barry  
Stanton N. Beeder  
Cline, Williams, Wright, Johnson & Oldfather, LLP  
1900 U.S. Bank Bldg.  
233 S. 13 St.  
Lincoln, NE 68508-2095  
Phone: (402) 474-6900  
Fax: (402) 474-5393  
e-mail: abarry@clinewilliams.com  
e-mail: sbeeder@clinewilliams.com  
**Attorneys for Grendell & Paradigm**

Mark J. Daly  
Scott E. Daniel  
MaryBeth Frankman  
Brashear, LLP  
711 N. 108 Court  
Omaha, NE 68154-1714  
Phone: (402) 348-1000  
Fax: (402) 348-1111  
e-mail: mjd@brashearlaw.com  
e-mail: sed@brashearlaw.com  
e-mail: mbf@brashearlaw.com  
**Attorneys for Grendell & Paradigm**

s/ Albert M. Engles  
Albert M. Engles, #11194  
Chad G. Marzen, #24046  
ENGLES, KETCHAM, OLSON & KEITH, P.C.  
1350 Woodmen Tower  
Omaha, Nebraska 68102  
Phone: (402) 348-0900  
Fax: (402) 348-0904  
e-mail: bengles@ekoklaw.com  
e-mail: cmarzen@ekoklaw.com